

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**RUBBY JAMES GRAY**

**PLAINTIFF**

**v.**

**No: 5:19-cv-00078 BRW-PSH**

**PATRICIA TABB, *et al.***

**DEFENDANTS**

**ORDER OF DISMISSAL**

Plaintiff Rubby James Gray filed a complaint pursuant to 42 U.S.C. § 1983 on February 27, 2019, while incarcerated at the Arkansas Department of Corrections' (ADC) Delta Regional Unit (Doc. No. 1). Gray seeks injunctive relief only. Doc. No. 4 at 5. Although Gray is a three-striker under the three-strikes provision of the Prison Litigation Reform Act ("PLRA"), he was granted leave to proceed *in forma pauperis* under the PLRA's imminent danger exception. Doc. No. 6.

On April 8, 2019, he filed a notice of change address indicating he had been moved to the ADC's Varner Unit. Doc. No. 13. Because Gray only seeks injunctive relief from defendants at the Delta Regional Unit, and he has since been transferred to another unit, his claims are moot. *See generally Martin v. Sargent*, 780 F.2d 1334, 1337 (8th Cir. 1985) ("[A] prisoner's claim for injunctive relief to improve prison conditions is moot if he or she is no longer subject to those conditions."). Accordingly, Gray's complaint is dismissed without prejudice.

IT IS SO ORDERED this 30th day of April, 2019.

Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE